

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 566 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 health care services.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 11-12-5-8 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2007]: **Sec. 8. (a) This section does not apply to a person subject**
- 9 **to lawful detention who:**
- 10 **(1) maintains a policy of insurance from a private company**
- 11 **covering health care services; or**
- 12 **(2) is willing to pay for the person's own health care services.**
- 13 **(b) As used in this section, "lawful detention" has the meaning**
- 14 **set forth in IC 35-41-1-18.**
- 15 **(c) A county shall reimburse:**
- 16 **(1) a physician licensed under IC 25-22.5;**
- 17 **(2) a hospital licensed under IC 16-21-2; or**
- 18 **(3) any other health care provider;**
- 19 **for health care services provided to a person subject to lawful**
- 20 **detention by the sheriff of the county. The reimbursement must be**
- 21 **paid at a rate that is equal to the reimbursement rate that applies**
- 22 **to health care services provided under a health care provider**
- 23 **network contract with the county's health plan in which the most**
- 24 **county employees are enrolled.**

(d) The reimbursement paid under this section:

(1) must be equal to the reimbursement rate that the county health plan described in subsection (c) would pay after subtracting copayment amounts that would normally apply under the plan; and

(2) may not be reduced because of any deductible amounts or similar obligations owed under the county health plan.

(e) This section may not be construed to prevent or limit the application of IC 11-12-5-5 concerning the making of copayments by a person confined to a county jail.

(f) A county that is responsible for paying the medical care expenses of a county jail inmate under IC 11-12-5-6 is responsible paying the medical care expenses of the inmate under this section.

(g) This section may not be construed to supersede a written agreement:

(1) between:

(A) a physician, a hospital, or any other health care provider; and

(B) a county or sheriff;

concerning reimbursement for health care services provided to a person subject to lawful detention; and

(2) entered into or renewed before July 1, 2007."

Page 3, after line 22, begin a new paragraph and insert:

"SECTION 7. IC 36-2-13-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 17. (a) This section does not apply to a person subject to lawful detention who:

(1) maintains a policy of insurance from a private company covering health care services; or

(2) is willing to pay for the person's own health care services.

(b) As used in this section, "lawful detention" has the meaning set forth in IC 35-41-1-18.

(c) A sheriff of a county may not release a person subject to lawful detention solely for the purpose of preventing the county from being financially responsible under IC 11-12-5-8 for health care services provided to the person.

(d) If a county violates subsection (c), the county remains financially responsible under IC 11-12-5-8 for health care services provided to the person released from lawful detention.

(e) A county is financially responsible under IC 11-12-5-8 for medical care provided to a person at a hospital if that person was subject to lawful detention by the sheriff at the time the person entered the hospital's premises.

(f) If a person is subjected to lawful detention after entering the premises of a hospital, the county in which the hospital is located is financially responsible under IC 11-12-5-8 for the medical care provided to the person while the person is subject to lawful

1 detention.

2 (g) For purposes of this section, if a sheriff brings a person
3 subject to lawful detention onto the premises of a hospital or
4 subjects a person to lawful detention after the person enters the
5 premises of a hospital, the sheriff shall remain on the premises of
6 the hospital and within reasonable proximity to the person while
7 the person receives medical care at the hospital unless:

8 (1) the person's medical condition renders the person
9 incapable of leaving the hospital; and

10 (2) the person does not pose a threat to hospital personnel or
11 property or to others at the hospital.

12 (h) This section may not be construed to prevent or limit the
13 application of IC 11-12-5-5 concerning the making of copayments
14 by a person confined to a county jail.

15 (i) A county that is responsible for paying the medical care
16 expenses of a county jail inmate under IC 11-12-5-6 is responsible
17 paying the medical care expenses of the inmate under this section.

18 (j) This section may not be construed to supersede a written
19 agreement:

20 (1) between:

21 (A) a physician, a hospital, or any other health care
22 provider; and

23 (B) a sheriff;
24 concerning reimbursement for health care services provided
25 to a person subject to lawful detention; and

26 (2) entered into or renewed before July 1, 2007."

27 Renumber all SECTIONS consecutively.

(Reference is to ESB 566 as printed April 3, 2007.)

Representative Kuzman